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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,467	04/09/2004	John Melideo	J000-P03231US	1089

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT PAPER NUMBER

2179

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/821,467

Applicant(s)

MELIDEO, JOHN

Examiner

X L. Bautista

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                              |                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/18/05</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-5, 7-19, 21-25, 27-39, 41-45, and 47-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cho et al* (US 6,834,048 B1) and *Bertacchi* (US 5,790,638).**

Claims 1, 41 and 51:

Cho discloses a method for initiating Internet telephone calls from a web page. Cho explains that users may search the Web for contact phone numbers and that the invention facilitates selection of phone numbers by using an input device and that it provides an automated, interactive and immediate real-time call connection capability for the web page user to the individual or business (col. 3, lines 50-67; col. 4, lines 1-13). Cho teaches that to place a call to a telephone number the caller selects the phone number by clicking on the underlined or highlighted text (ad, dial link), (col. 6, lines 44-50). Cho teaches that character strings indicative of a telephone number are modified into a link and then the

system displays the telephone number (col. 1, lines 56-67). Cho teaches selecting and activating the link and initiating the telephone call to the telephone number represented by the link (col. 2, lines 1-11; col. 7, lines 1-15).

Cho does not teach generating a call trigger for initiating a multi-leg phone call. However, Bertacchi discloses a system and method for controlling initiation of secondary telephone numbers. The system is responsive to an incoming call made to a primary telephone number subscribing to a call transfer service feature. The invention responds to an incoming call made to a primary phone number by simultaneously calling specified secondary numbers (multi leg calling), (abstract; col. 1, lines 60-67; col. 2, lines 1-8, 44-61). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify Cho's method for initiating phone calls to include Bertacchi's teaching of placing a multi-leg phone call because a user can be reached at any of a plurality of specified telephone numbers maximizing the chance of being reached anywhere at any time.

Claims 2, 22 and 42:

See claim 1. Cho teaches a computer (having input device, display device, processor, and a memory) having a display screen and software for displaying a web page (figs. 5A-5B; col. 4, lines 15-65).

Claims 3, 5, 23, 25, 43 and 45:

Cho teaches a designated telephone number being a link to an Internet

telephone service provider (col. 6, lines 44-50).

Claims 4, 24 and 44:

Bertacchi teaches that in response to an incoming call the system determines by querying a database, whether the telephone associated with the primary number subscribes to a call transfer calling service feature (col. 2, lines 44-50).

Claims 7, 8, 27, 28, 47 and 48:

See claim 1. Cho teaches the invention comprises accessing a web page using a browser (col. 1, lines 56-60).

Claims 9, 29 and 49:

Cho teaches receiving a phone number entered or selected from a previously entered phone number (col. 1, lines 56-67; col. 2, lines 1-11; col. 4, lines 3-14; col. 6, lines 44-50).

Claims 10, 30 and 50:

Cho teaches activating a dial link by clicking on the link (col. 6, lines 44-50).

Claims 11, 31 and 51:

See claim 1. Cho shows in figure 5B a web page displaying links having ad data including content information, address, and telephone number.

Claims 12, 32 and 52:

See claim 1. Cho teaches a character string (col. 1, lines 56-67) and URLs (col. 4, lines 24-49).

Claim 13, 33 and 53:

See claim 1. Cho teaches a user being enabled to access the Internet and search a web site by using a client computer (figure 1A-1B).

Claims 14, 34 and 54:

Cho teaches triggering instructions included in the dial link (col. 4, lines 24-49).

Claims 15, 16, 35, 36, 55 and 56:

Cho teaches instructions for displaying a page (fig. 5A).

Claims 17, 37 and 57:

Cho teaches merchant identifier (fig. 5A).

Claims 18, 19, 38, 39, 58 and 59:

Cho teaches a web page having telephone numbers (fig. 5A).

Claim 21:

See claim 1. Cho teaches a computer (fig. 1A) having display screen, input device, processor, memory and display screen.

3. **Claims 6, 20, 26, 40, 46 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Cho/Bertacchi* and *Musk et al* (US 6,185,194 B1).**

Claims 6, 20, 26, 40, 46 and 60:

Cho/Bertacchi does not teach sending a message to a billing system to charge

the merchant for the user activating the dial link. However, Musk discloses a system and method for initiating telephone calls using Internet initiation. Musk teaches that a web site accessed to place a call has a directory with a phone icon for a business to allow call initiation; the web site contains billing information and the business directory provides reverse billing and can be used to bill the business for the telephone call instead of the user (col. 2, lines 1-8; col. 3, lines 1-14).

### *Conclusion*

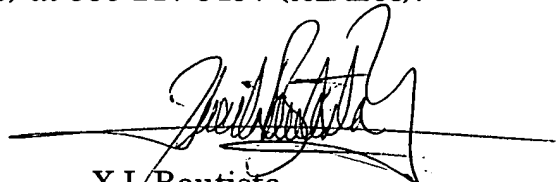
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'X L Bautista', is written over a horizontal line.

X L Bautista  
Primary Examiner  
Art Unit 2179

xlb  
February 2, 2006